

(2) a structural sequence encoding neomycin phosphotransferase

DS
Cont II, and

(3) a 3' non-translated polyadenylation sequence of nopaline synthase. --

REMARKS

Entry of the above amendments and reconsideration in view of the above amendments are respectfully requested.

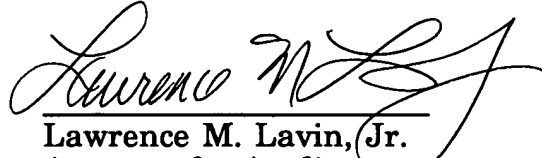
Newly added claims 19 and 20 are directed to specific embodiments of the present invention. Support for these claims can be found in the application at page 6, line 25 to page 9, line 7. Plasmids containing these chimeric genes are also described in Examples 1-3. These claims had not been submitted earlier because applicant's attorney did not notice that species claims directed to the examples had not been submitted in the application until reviewing the application in preparation for Notice of Allowance. These claims are needed to properly protect the invention. It is respectfully requested that the newly added claims be entered since they are sub-generic to previously searched claims and will not require additional searching by the Examiner or raise any new issues. Claims 3 and 12 have been canceled so that the number of claims pending remains the same.

Claims 4, 7, 10 and 13 have been amended by insertion of a comma before the phrase "and a structural sequence" as suggested by the Examiner. Accordingly, the rejection under 35 U.S.C. § 112 as being indefinite is believed to be obviated.

Applicants are also enclosing formal drawings and a supplemental information disclosure statement.

Applicant acknowledges with appreciation the allowance of claims 1-3 and 16-18. In view of the above amendments and remarks, reconsideration and allowance of the remaining claims of the above application are respectfully requested.

Respectfully submitted,



Lawrence M. Lavin, Jr.
Attorney for Applicants
Registration No. 30,768

Monsanto Company BB4F
700 Chesterfield Parkway North
St. Louis, Missouri 63198
(314) 537-6670